

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NASHID AKIL

v.

CITY OF PHILADELPHIA, et al.

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**CIVIL ACTION
No. 23-2654**

ORDER

This 11th day of December, 2023, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that Defendants' Motion to Dismiss (ECF 19) is **GRANTED**. All claims are **DISMISSED with prejudice**, with the exception of Plaintiff's procedural due process and 42 U.S.C. § 1981 claims, which are dismissed **without prejudice**. Plaintiff shall have 21 days from the date of this Order to amend his procedural due process and § 1981 claims, subject to the requirements and potential sanctions imposed by Rule 11 of the Federal Rules of Civil Procedure,

/s/ Gerald Austin McHugh
United States District Judge